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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 001813

SIPDIS

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TAGS: [PREL](#) [KU](#) [IZ](#)

SUBJECT: AMBASSADOR'S APRIL 30 MEETING WITH MINSTATE

REF: A. STATE 103736 B. KUWAIT 1759

Classified By: Ambassador Richard H. Jones for reasons 1.5 (b) and (d)

1. (C) Summary: The Ambassador met with Minister of State for Foreign Affairs Shaykh Dr. Mohammed Al-Sabah on April 30th. Among the issues discussed were Kuwaiti POWs, the future of Kuwait's fuel donations to coalition forces and the status of ongoing efforts to secure an Article 98 agreement with Kuwait. End Summary.

(C) WAR ISSUES: POWS AND FUEL  
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2. (C) Dr. Mohammed began by raising the issue of Kuwaiti POWs, with some of whose families he had met the previous night. Echoing their frustration that coalition forces had not encountered any Kuwaiti POWs in Iraq, he relayed the concern that coalition forces make every effort to interrogate all enemy prisoners of war (EPW's) for possible information about Kuwaiti POWs. He said that such interrogations were especially significant to the GOK's ongoing efforts to establish war crimes cases against the former Iraqi regime. (Note: The GOK has been pursuing the cases of 572 Kuwaitis and 33 persons of other nationalities, missing since the Iraqi occupation. This is a highly sensitive issue in Kuwait. End Note.)

3. (C) Dr. Mohammed also told the Ambassador that Kuwait would soon have to start scaling back its in-kind fuel assistance to coalition forces, as the conflict was drawing to a close and the GOK was facing budgetary pressures. He noted that coalition fuel requirements were significantly less, now that the air campaign is over. As an aside, he also mentioned rumors he had heard that some fuel Kuwait had supplied was being sold on the black market in Iraq. In response to the Ambassador's questions, Dr. Mohammed said it was unclear to him whether this was fuel supplied to the coalition or for humanitarian purposes. He had no further information. The Ambassador urged him to bring any information suggesting diversions from coalition stocks to U.S. attention at once.

4. (C) The Ambassador assured the Minister that coalition forces were, in fact, doing everything possible to elicit information from EPW's, and coordinating very closely with GOK bodies charged with Kuwait's POW efforts. He also asked him to give the USG as much advance warning as possible about any GOK decision to cut back on fuel assistance.

5. (C) The Ambassador also gave Dr. Mohammed a readout on the 4/28 Baghdad meeting of Iraqi political figures. Dr. Mohammed listened intently and asked the Ambassador if the US would be advising SCIRI's Mohammed Bakr Al-Hakim to be present at the group's planned future meeting. SCIRI, he said, had been represented at the 3/28 meeting by a lower level representative. They also discussed the possibility of Shi'a cleric Mohammed Bahr al-Oloum's returning to Iraq, with the Ambassador pointing out the difficulty of the U.S. playing a prominent role.

(C) ARTICLE 98  
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6. (C) The Ambassador delivered Ref A talking points and confirmed for Dr. Mohammed that Egypt had concluded an Article 98 agreement with the U.S.; the proposed agreement with Kuwait extends coverage to all Americans and TCN's while in U.S. military service, but not civilian contractors. Dr. Mohammed indicated this might be acceptable to Kuwait, and asked whether the agreement would cover Free Iraqi Forces (FIF), implying that Kuwait would object to this since the GOK was still attempting to bring war crimes charges against some officials of the former Iraqi regime. The Ambassador explained that the FIF were not technically part of the U.S. military, it was doubtful they would be covered by the agreement and in any event, the period of coverage would be very limited. Ambassador Babbitt from the America's Department suggested that we should receive an MFA response very soon on the latest U.S. draft.

(C) TRAFFICKING IN PERSONS  
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7. (C) The Ambassador thanked Ambassador Babbitt for having

provided the embassy with copies of Kuwaiti laws prohibiting trafficking in persons (Ref B). However, he stressed, the basis upon which the USG would be preparing its congressionally-mandated report would be the actual practices in Kuwait, not the legal framework. The Ambassador suggested that an extension of Kuwait's labor laws to include coverage for domestic servants would be one way the GOK could show progress on the issue of trafficking in persons. He underscored the embassy's desire to continue working urgently with the GOK on this issue.

18. (C) Comment: The GOK has provided as Assistance-In-Kind nearly \$200 million in fuel this year. The need to increase security measures in conjunction with Operation Iraqi Freedom and the noncomitant terrorist threat forced the GOK to seek a supplemental budget allocation of over \$1.6 billion; about \$2000 per Kuwaiti.  
JONES